Appl. S.N.: 10/632,261

129640-1

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Mar W. Maria of Transmission)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: Group Art Unit: 1732

Kent C. Burr

: Examiner: William Krynski

Serial No. 10/632,261 Filed: August 1, 2003

For:

METHOD FOR GENERATING OPTICAL ANISOTROPY IN SCINTILLATORS

USING PULSED LASERS

PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Honorable Assistant Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450

SIR:

Applicants, by their attorney, hereby respectfully request that the holding of abandonment of the above-identified application, for failure to timely answer an Office Action, be set aside and that all rights under this application be restored, and that the Response to Restriction Requirement originally sent November 7, 2005, be entered.

Enclosed for the Commissioner's consideration are the following documents:

- A copy of the Office Action mailed 07/08/2005, sent to Thomas E. Donohue, Artz & Artz, P.C. Suite 250, 2833 Telegraph Road, Southfield, MI 48034.
- A copy of the Revocation of Power of Attorney and Change of Address form sent to the USPTO on February 11, 2005. Inadvertently, the Serial No. listed on the change of address form was incorrect. It listed 10/623,261 instead of the correct Serial No. 10/632,261.
- A copy of the Petition to Reset A Period for Reply Due to Late Receipt of An Office Action Under MPEP 710.06, which was sent November 8, 2005.

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- A copy of the Response to Restriction Requirement sent with the Petition to Reset (# 3 above), mailed to the USPTO November 8, 2005.
- 5. A copy of the newly revised Revocation of Power of Attorney and Change of Address, to correctly change the Power of Attorney and Address in this case, which was inadvertently had the incorrect Serial Number for this case.
- A copy of the Response to Reset a Period for Reply Due to Late Receipt of An Office Action, filed November 10, 2005 and Dismissed June 30, 2006.
- 7. Authorization to charge \$1500.00 AND any additional fee required to our deposit account number 07-0868 for the filing of a Petition to Revive under 37 CFR 1.137(a) in the above-identified patent application.

I view of the forgoing facts and the verified showing thereof, it is apparent that we unintentionally used the wrong Serial Number on the Change of Address, leading to late receipt of the Office Action and subsequent denial of the Petition to Reset a Period for Reply, which was received June 30, 2006. Accordingly, withdrawal of the holding of abandonment and revival of the above-identified application, and acceptance of the Response to Restriction Requirement, originally sent November 8, 2005, is earnestly solicited.

Respectfully submitted,

Jean K. Testa Reg. No. 39,396

General Electric Company Building K1, Room 4A60 Niskayuna, New York 12309

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2006



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/632,261 08/01/2003		Kent Charles Burr	129640 (GEGRC 0104 PA)	5497
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Thomas E. Do			BECK, DAVI	ZAMOHTO
Artz & Artz, P.C Suite 250	C .		ART UNIT	PAPER NUMBER
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Southfield, MI	48034	001 5 1 2 m	DATÉ MAILED: 07/09/2005	•

Please find below and/or attached an Office communication concerning this application or proceeding.

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Page 2

Application/Control Number: 10/632,261

Art Unit: 1732

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-20, drawn to a method of making an imaging component, classified in class 264, subclass 400.
 - Claims 21-25, drawn to a method of manufacturing an anisotropic scintillator, classified in class 378, subclass 19.
 - III. Claims 26-29, drawn to an anisotropic scintillator, classified in class 250, subclass 370.11.
- 2. The inventions are distinct, each from the other because of the following reasons:
- 3. Inventions II and III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the scintillator element claimed could be made by another and materially different process such as using chemical vapor deposition.
- Inventions II and I are related as mutually exclusive species in an intermediate-final product relationship. Distinctness is proven for claims in this relationship if the intermediate product is useful to make other than the final product (MPEP § 806.04(b), 3rd paragraph), and the species are patentably distinct (MPEP § 806.04(h)). In the instant case, the intermediate product is deemed to be useful as an anisotropic scintillator which may be used to change invisible light rays, such as x-rays into visible

Page 3

Application/Control Number: 10/632,261

Art Unit: 1732

light and the inventions are deemed patentably distinct since there is nothing on this record to show them to be obvious variants. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions anticipated by the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 5. Inventions III and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus can be used to practice another and materially different process such as changing invisible light rays such as x-rays into visible light.
- Because these inventions are distinct for the reasons given above and have 6. acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- A telephone call was made to Thomas Donohue on 6/28/05 to request an oral 7. election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Application/Control Number: 10/632,261

Art Unit: 1732

Page 4

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David T. Beck whose telephone number is 571-272-2942. The examiner can normally be reached on Monday - Friday, 8AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 517-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct:uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DTB

June 28, 2005

DIB

MICHAEL P. COLAIANNI SUPERVISORY PATENT EXAMINER SN. 10/632,261

JUL 1 2 2006 129 64-0-1

REVOCATION OF POWER OF ATTORNEY

CHANGE OF CORRESPONDENCE ADDRESS

STATEMENT UNDER 37 CFR 3.73(b)

Application Number:	10/623,261	
Filing Date:	8/1/03	
Inventor(s):	Kent C. Burr	
Group Art Unit:	2882	
Examiner Name:		
Attorney Docket Number:	129640-1	

I hereby REVOKE all previous powers in the above-identified application for the Practitioner(s) listed below:

Thomas E. Donohue, Reg. No. 44,660, and Practitioners at Customer Number 027256 Artz & Artz, P.C. 28333 Telegraph Road, Suite 250 Southfield, MI 48034

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark office connected therewith.

and APPOINT PRACTITIONERS AT CUSTOMER NUMBER 006147.

P	ease	chänge i	the correspond	ence addres	ss for the	above-identific	ed application t	0:

Practitioners at Customer Number: 006147
General Electric Company
Patent Docket Room Bldg. K1-4A59
1 Research Circle
Niskayuna, NY 12309

I am the:

Applicant/Inventor

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) (below)

STATEMENT UNDER 37 CFR 3.73(b)

General Electric Company, a Corporation, certifies that it is the assignee of the patent application identified above by virtue of an assignment from the inventor(s). The assignment was recorded in the Patent and Trademark office at Reel _____ and Frame(s) _____ or if no reel and frame information is available, a copy of the executed Assignment is submitted herewith.

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of the assignce.

	SIGNATURE OF Applicant or Assignce of Record						
Name &Title	JEAN K. TESTA, PATENT COUNSEL Registration No. 39,396						
Signature	Q-Keles						
Date	2/5/05 Telephone (518) 387-5115						



129640-1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Alexandri

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JUL 1 2 2006

(Date of)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: Group Art Unit: 1732

Kent C. Burr

For:

: Examiner: Mathieu Vargot

Serial No. 10/632,261

Filed: Aug. 1, 2003

METHOD FOR GENERATING OPTICAL

ANISOTROPY IN SCINTILLATORS

USING PULSED LASERS

PETITION TO RESET A PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN OFFICE ACTION UNDER MPEP §710.06

Honorable Assistant Commissioner of Patents and Trademarks, Alexandria, VA

SIR:

Applicant, by his attorney, hereby respectfully requests that the period for reply for the Office Action in this case, mailed 07/08/2005, be reset, for the reasons set forth below.

The Office Action mailed 07/08/2005, was sent to Thomas E. Donohue, Artz & Artz, P.C. Suite 250, 2833 Telegraph Road, Southfield, MI 48034. Applicant respectfully submits that a Revocation of Power of Attorney and Change of Address was sent to the USPTO on February 11, 2005. Applicant has the Post Card that the USPTO received the change of address February 15, 2005. Still further Applicant has a copy of the Office Action which was obtained when Applicant discovered its existence through PAIR. It was docketed into Applicant's system October 31, 2005.

129640-1

Enclosed for the Commissioner's consideration are the following documents:

- 1. A copy of the Revocation of POA and Change of Address sent to the USPTO on February 11, 2005.
- 2. A copy of the Post Card sent February 11, 2005 and received in the USPTO on February 15, 2005.
- 3. A copy of the Office Action with our docket room received stamp with the date October 31, 2005, the date we actually obtained a copy of the Office Action.
- 4. Response to Office Action dated July 8, 2005.

There should be no fee required for this petition. The Assistant Commissioner is authorized to charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 07-0868.

In view of the foregoing facts and verified showing thereof, it is respectfully submitted that Applicant should be granted the Petition of Reset A Period For Reply Due To Late Receipt of an Office Action and that the Response to the Restriction Requirement filed concurrently with this petition be considered timely filed.

Respectfully submitted,

Jean K. Testa Reg. No. 39,396

General Electric Company Building K1, Room 3A62 Niskayuna, New York 12309

Telephone: (518) 387-5115 or (518) 387-7122

mr. 7, 2005

4

s.n. 10/632,261

129640-1

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JUL 1 2 2006

Signature (Date of Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: Group Art Unit: 1732

Kent C. Burr

: Examiner: Mathieu Vargot

Scrial No. 10/632,261

Filed: Aug. 1, 2003

For:

METHOD FOR GENERATING OPTICAL

ANISOTROPY IN SCINTILLATORS

USING PULSED LASERS

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Assistant Commissioner of Patents and Trademarks, Washington, DC 20231

SIR:

In response to the Restriction Requirement mailed from the United States Patent Office on July 8, 2005, please amend the above-identified application as follows:

Listing of claims begins on page 2 of this paper

Remarks begin on page 6 of this paper.

129640-1

Listing of claims:

1. (withdrawn) A method of manufacturing an imaging component comprising:

placing a focusing device in between a laser generator and a scintillator element, said scintillator element comprised of a substantially isotropic portion;

generating a laser using said laser generator:

focusing said laser using said focusing device such that a focal spot of the laser is coincident with a portion of said isotropic portion;

using said laser to alter the optical properties at said focal spot such that anisotropy is generated in said isotropic portion; and

moving said focal spot relative to said scintillator element such that a three-dimensional pattern with altered optical properties is generated, said three-dimensional pattern controlling the spread of photons within said scintillator element.

- 2. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said scintillator element comprises a single crystal element.
- 3. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said scintillator element comprises a glass element.
- 4. (withdrawn) A method of manufacturing an imaging component as in claim I wherein said scintillator element comprises a ceramic element.
- 5. (withdrawn) A method of manufacturing an imaging component as in claim 1 further comprising:

integrating said scintillator element into a computed tomography assembly.

6. (withdrawn) A method of manufacturing an imaging component as in claim 1 further comprising:

integrating said scintillator element into an x-ray imaging assembly.

7. (withdrawn) A method of manufacturing an imaging component as in claim 1 further comprising:

integrating said scintillator element into a positrons emissions tomography assembly.

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- 8. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said laser generator comprises a picosecond pulse laser.
- 9. (withdrawn) A method of manufacturing an imaging component as in claim I wherein said laser generator comprises a femtosecond pulse laser.
- 10. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said laser generator comprises a titanium sapphire laser.
- 11. (withdrawn) A method of manufacturing an imaging component as in claim 10 wherein said titanium sapphire laser is regeneratively amplified.
- 12. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

changing the crystal structure within a crystalline scintillator element.

13. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

creating localized crystal domains of different orientation that the surrounding crystalline material in a crystalline element.

14. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

creating localized crystalline regions within a non-crystalline element.

15. (withdrawn) A method of manufacturing an imaging component as in claim I wherein said altering the optical properties comprises:

creating localized non-crystalline regions within a crystalline element.

16. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

generating micro-voids within the scintillator element.

17. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

changing index of refraction at said focal spot.

129640-1

18. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

changing optical absorption at said focal spot.

19. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said altering the optical properties comprises:

changing photon scattering properties at said focal spot.

20. (withdrawn) A method of manufacturing an imaging component as in claim 1 wherein said three-dimensional pattern comprises:

a plurality of first planes formed across said scintillator element; and

- a plurality of second planes formed across said scintillator element, said plurality of second planes intersecting said plurality of first planes to form a plurality of scintillator cells.
- 21. (withdrawn) A method of manufacturing an anisotropic scintillator for use in an imaging system comprising:

placing a scintillator element in communication with a focusing device and a pulse laser generator;

generating a pulse laser using said pulse laser generator;

focusing said pulse laser using said focusing device such that a focal spot of said pulse laser is coincident with a portion of said scintillator element;

using said pulse laser to alter the optical properties at said focal spot such that anisotropy is generated in said scintillator element; and

moving said focal spot relative to said scintillator element such that a three-dimensional pattern with altered optical properties is generated, said three-dimensional pattern controlling the spread of photons within said scintillator element.

22. (withdrawn) A method of manufacturing an anisotropic scintillator for use in an imaging system as described in claim 21, wherein said using a pulse laser to alter optical properties comprises:

generating micro-voids within the scintillator element.

129640-1

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23. (withdrawn) A method of manufacturing an anisotropic scintillator for use in an imaging system as described in claim 21, wherein said using a pulse laser to alter optical properties comprises:

changing index of refraction at said focal spot.

24. (withdrawn) A method of manufacturing an anisotropic scintillator for use in an imaging system as described in claim 21, wherein said using a pulse laser to alter optical properties comprises:

changing optical absorption at said focal spot.

25. (withdrawn) A method of manufacturing an anisotropic scintillator for use in an imaging system as described in claim 21, wherein said using a pulse laser to alter optical properties comprises:

changing photon scattering properties at said focal spot.

- 26. (original) An anisotropic scintillator for use in an imaging system comprising:
- a scintillator element comprised of a scintillator material having a first optical property;
- a three-dimensional pattern formed in said scintillator element utilizing a pulse laser, said pulse laser altering said first optical property at a plurality of locations within said scintillator element such that said three-dimensional pattern is comprised of a second optical property;

wherein said three-dimensional pattern controls the spread of photons within said scintillator element.

- 27. (original) An anisotropic scintillator for use in an imaging system as described in claim 26, wherein said three-dimensional pattern comprises:
  - a plurality of first parallel planes formed across said scintillator element; and
- a plurality of second parallel planes formed across said scintillator element perpendicular to said plurality of first parallel planes, said plurality of second parallel planes intersecting said plurality of first parallel planes to form a plurality of scintillator cells.
- 28. (original) An anisotropic scintillator for use in an imaging system as described in claim 26, wherein said scintillator element comprises a single crystal element.

129640-1

29. (original) An anisotropic scintillator for use in an imaging system as described in claim 26, wherein said scintillator element comprises a ceramic element.

129640-1

#### Remarks:

This response to the Restriction Requirement is being submitted concurrently with the Petition To Reset A Period For Reply Due To Late Receipt Of An Office Action.

In response to the Restriction Requirement mailed from the United States Patent Office on July 8, 2005, Applicants hereby elect, without traverse, Group III, claims 26-29, drawn to an anisotropic scintillator, classified in class 250, subclass 370.11.

Applicants, of course, reserve the right to file a divisional application covering the subject matter of the non-elected claims. Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Jean K. Testa Reg. No. 39,396

General Electric Company Building K1, Room 3A62 Niskayuna, New York 12309

Telephone: (518)

(518) 387-5115 or (518) 387-7122

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PAGE 18

JUL 1 2 2006

Application Number: 10/632,261

Filing Date: 08/01/03

Inventor(s): Kent C. Burr

Group Art Unit: 2882

Examiner Name: William Krynski

Attorney Docket Number: 129640-1

# REVOCATION OF POWER OF ATTORNEY

CHANGE OF CORRESPONDENCE ADDRESS

STATEMENT UNDER 37 CFR 3.73(b)

I hereby REVOKE all previous powers in the above-identified application for the Practitioner(s) listed below:

Thomas E. Donohue, Reg. No. 44,660, and Practitioners at Customer Number 027256 Artz & Artz, P.C. 28333 Telegraph Road, Suite 250 Southfield, MI 48034

-as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark office connected therewith

## and APPOINT PRACTITIONERS AT CUSTOMER NUMBER 006147.

Please change the correspondence address for the above-identified application to:

Practitioners at Customer Number: 006147
General Electric Company

Patent Docket Room Bldg. K1-4A59 One Research Circle Niskayuna, NY 12309

I am the:

Applicant/Inventor

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) (below)

#### STATEMENT UNDER 37 CFR 3.73(b)

General Electric Company, a Corporation, certifies that it is the assignee of the patent application identified above by virtue of an assignment from the inventor(s). The assignment was recorded in the Patent and Trademark office on 08/01/03 at Reel 014372 and Frame(s) 0508, or if no reel and frame information is available, a copy of the executed Assignment is submitted herewith.

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of the assignee.

SIGNATURE OF Applicant or Assignee of Record					
Name &Title	Jean K. Testa,	PATENT CO	UNSEL	Registration No. 39,396	
Signature	Jan a	Ict_			
Date	7/12/06	Telephone	(518) 387-5115		

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10/632,261

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#### United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspip.gov

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**DECISION ON** 

PETITION

Mailed: 6-30-06

In re application of

Kent C. Burr

Serial No. 10/632,261

Filed: August 01, 2003

For: Method Fo

Method For Generating Optical Anisotropy In

Scintillators Using Pulsed Lasers

This is a response to the PETITION TO RESET A PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN OFFICE ACTION, filed November 10, 2005. The petition requests that the period for reply for the Office Action mailed July 8, 2005 be reset. Applicant asserts that a Revocation of Power of Attorney and Change of Address was sent to the USPTO on February 11, 2005 and applicant has provided a copy of the Post Card showing that the USPTO received the change of address on February 15, 2005. Applicant has a copy of the Office Action, which was obtained when Applicant discovered its existence through PAIR and Applicant has filed a Response to the Restriction Requirement concurrently with this petition request.

#### **DECISION**

The instant request is accepted as a <u>timely</u> petition under 37 C.F.R. 1.181 (no fee). A review of the revocation of power of attorney and change of address shows that it was filed for application 10/623,261 to Group Art Unit 2882.

## The Petition is **DISMISSED**.

As a change of address has not been filed in this application, the Office Action mailed July 8, 2005 was sent to the current address of record.

gacquelue M. Stone

Jacqueline Stone, Director Technology Center 1700 Chemical and Materials Engineering

Jean K. Testa General Electric Company Building K1, Room 3A62 Niskayuna, New York 12309

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Petition to Revive Under 37 CFR 1.37(b)	in the below-identified patent application.	
Inventor: Kent C. Burr		
Serial No.: 10/632,261		
Filed: August 1, 2003		
For: METHOD FOR GENERATING OP	TICAL ANISOTROPY IN SCINTILLATORS USIN	[G
PULSED LASERS		
GE Co. Docket No.: 129640-1		
Group Art Unit: 1732		
If additional space is needed attach separate sheet		
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	(signsture) Jean K. Testa	
For prompt, accurate shipment please complete the following mails	ng label-please print or typewrite Registration No.: 39,396	
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Patent and Trademark Office Alexandria, VA 22313-1450	General Electric Company	10
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Return after five days YOUR ORDER NUMBER	Bidg. K1 4A59	
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	Niskayuna, New York 12309	7/04